

DISMISS and Opinion Filed September 10, 2015



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-15-00921-CV

ANN STOKLEY, Appellant

V.

**THE BANK OF NEW YORK MELLON, AS TRUSTEE FOR CWABS, INC. ASSET-
BACKED CERTIFICATES SERIES 2003-1, Appellee**

**On Appeal from the 44th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-15-03285**

MEMORANDUM OPINION

Before Chief Justice Wright and Justices Lang-Miers and Stoddart
Opinion by Chief Justice Wright

In a letter dated August 11, 2015, the Court questioned its jurisdiction over this appeal. Specifically, there does not appear to be an appealable order. We instructed appellant to file a letter brief addressing our concern. Appellant filed a jurisdictional brief, *pro se*.

Generally, this Court has jurisdiction only over appeals from final judgments and those interlocutory orders specifically authorized by statute. *See Lehmann v. Har-Con Corp.*, 30 S.W.3d 191, 195 (Tex. 2001); *Bally Total Fitness Corp. v. Jackson*, 53 S.W.3d 352 (Tex. 2001); *Jack B. Anglin Co., Inc. v. Tipps*, 842 S.W.2d 266, 272 (Tex. 1992) (orig. proceeding). A final judgment is one that disposes of all pending parties and claims. *See Lehmann*, 30 S.W.3d at 195.

In her notice of appeal, appellant states she is appealing the denial of her special appearance. A person may appeal from an interlocutory order that grants or denies a special

appearance under rule 120a of the Texas Rules of Civil Procedure. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 51.014(a)(7) (West 2015). The record before this Court, however, does not contain an order on the appellant's special appearance. In her jurisdictional brief, appellant acknowledges that there is no signed order denying her special appearance. Appellant relies on the trial court's oral ruling on the record at the hearing on her motion. An oral rendition is not sufficient. The appellate timetable runs from the date the judgment or order is signed. *See* TEX. R. APP. P. 26.1, *Farmer v. Ben E. Keith Co.*, 907 S.W.2d 495, 496 (Tex. 1995) (per curiam).

The record before this Court does not contain an appealable order. Accordingly, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a).

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/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

ANN STOKLEY, Appellant

No. 05-15-00921-CV V.

THE BANK OF NEW YORK MELLON,
AS TRUSTEE FOR CWABS, INC. ASSET-
BACKED CERTIFICATES SERIES 2003-
1, Appellee

On Appeal from the 44th Judicial District
Court, Dallas County, Texas
Trial Court Cause No. DC-15-03285.
Opinion delivered by Chief Justice Wright.
Justices Lang-Miers and Stoddart
participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee THE BANK OF NEW YORK MELLON, AS TRUSTEE FOR CWABS, INC. ASSET-BACKED CERTIFICATES SERIES 2003-1 recover its costs of this appeal from appellant ANN STOKLEY.

Judgment entered September 10, 2015.